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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON

7 LAWRENCE DARREN MOLDER,

8 Plaintiff,

9 v.

10 BNSF RAILWAY COMPANY, a  
Delaware corporation,

11 Defendant.

NO: 2:18-CV-0257-TOR

ORDER GRANTING BNSF'S  
MOTION FOR PROTECTIVE ORDER

12 BEFORE THE COURT is Defendant BNSF Railway Company's Motion for  
13 Protective Order (ECF No. 30). The Motion was submitted for consideration  
14 without oral argument. The Court has reviewed the files and the record, and is  
15 fully informed. For good cause shown, the motion will be **granted**.

16 **ACCORDINGLY, IT IS ORDERED:**

17 1. Defendant BNSF Railway Company's Motion for Protective Order (ECF  
18 No. 30) is **GRANTED**. Pending any further Order of the Court:

- 19 a. Documents marked as Confidential ("Confidential Documents"),  
20 including but not limited to BNSF employees' personal performance  
review evaluations and scorecards, shall only be available to counsel  
of record, that counsel's support staff, and to the parties' retained


expert witnesses and consultants. Counsel providing the materials to a retained expert witness or a consultant shall provide the expert with a copy of this Court's order.

- b. Confidential documents will not be disclosed, nor are their contents permitted to be publicly disseminated.
- c. Confidential Documents shall be filed under seal.
- d. All information contained in Confidential Documents shall be used solely in connection with this litigation and for no other purpose.
- e. At the conclusion of this action, Confidential Documents, including copies or reproductions thereof, shall be returned to BNSF within 30 days.
- f. BNSF employees' Confidential Documents may be used in depositions in this case, but shall not be marked as an exhibit to, depicted by video in, or otherwise copied as part of, depositions in this case.

2. The District Court Clerk is directed to enter this Order and provide copies to counsel.

DATED July 15, 2019.



  
THOMAS O. RICE  
Chief United States District Judge